

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

SHAWN ASHLEY PENA
MICHAEL KISER

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Criminal No. 18-31 Erie

(18 U.S.C. § 371)

(Under Seal)

FILED

OCT - 9 2018

INDICTMENT

COUNT ONE

The grand jury charges:

CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

I. The Conspiracy and its Objects

1. During the period from in and around March 2018, until in and around May 2018, in the Western District of Pennsylvania and elsewhere, the defendants, SHAWN ASHLEY PENA and MICHAEL KISER, knowingly and willfully did conspire, combine, confederate and agree together and with each other, to commit an offense against the United States, that is interstate transportation of stolen goods in violation of Title 18, United States Code, Section 2314.

II. Manner and Means of the Conspiracy

2. It was part of the conspiracy that the defendants, SHAWN ASHLEY PENA and MICHAEL KISER, engaged in interstate travel for the purpose of locating businesses and mercantile establishments from which to steal merchandise.

3. It was further a part of the conspiracy that the defendants, SHAWN ASHLEY PENA and MICHAEL KISER, utilized rental vehicles when traveling interstate for the purpose of locating businesses and mercantile establishments from which to steal merchandise.

4. It was further a part of the conspiracy that the defendants, SHAWN ASHLEY PENA and MICHAEL KISER, after arriving at the businesses and mercantile establishments from which they intended to steal, would then enter the various businesses and mercantile establishments together and steal merchandise offered for sale at those businesses and mercantile establishments.

5. It was further a part of the conspiracy that, subsequent to their thefts from the various businesses and mercantile establishments, the defendants, SHAWN ASHLEY PENA and MICHAEL KISER, would engage in interstate travel, often for the purpose of locating other businesses and mercantile establishments from which to steal.

III. Overt Acts

6. The defendants, SHAWN ASHLEY PENA and MICHAEL KISER, did commit the following overt acts in furtherance of the conspiracy:

a. On or about April 13, 2018, the defendant, SHAWN ASHLEY PENA, rented a 2017 red Dodge Charger from Enterprise in Saint Charles, Illinois.

b. On or about April 14, 2018, the defendants, SHAWN ASHLEY PENA and MICHAEL KISER, stole United States currency from All Star Lanes in La Crosse, Wisconsin.

c. On or about April 14, 2018, the defendants, SHAWN ASHLEY PENA and MICHAEL KISER, stole jewelry valued at approximately \$3,320 from The Antique Store in La Crosse, Wisconsin.

d. On or about April 22, 2018, the defendants, SHAWN ASHLEY PENA and MICHAEL KISER, stole jewelry valued at approximately \$20,217.73 from Kmart in Millcreek Township, Pennsylvania.

e. On or about April 23, 2018, the defendants, SHAWN ASHLEY PENA and MICHAEL KISER, stole merchandise valued at approximately \$17,338 from various vendors located within Antique World in Clarence, New York.

f. On or about April 24, 2018, the defendant, SHAWN ASHLEY PENA, rented a blue Toyota Camry from Enterprise in Rochester, New York.

g. On or about April 24, 2018, the defendants, SHAWN ASHLEY PENA and MICHAEL KISER, stole merchandise valued at approximately \$20,540 from various vendors located within Ontario Mall Antiques in Rochester, New York.

h. On or about April 26, 2018, the defendants, SHAWN ASHLEY PENA and MICHAEL KISER, stole merchandise valued at approximately \$4,150 from various vendors located within the Rhinebeck Antique Emporium in Staatsburg, New York.

i. On or about May 6, 2018, the defendants, SHAWN ASHLEY PENA and MICHAEL KISER, stole merchandise valued at over \$6,000 from Bedford Street Antiques in Carlisle, Pennsylvania.


j. On or about May 6, 2018, the defendants, SHAWN ASHLEY PENA and MICHAEL KISER, stole merchandise valued at approximately \$2,000 from Northgate Antiques in Carlisle, Pennsylvania.


k. On or about May 6, 2018, the defendants, SHAWN ASHLEY PENA and MICHAEL KISER, stole merchandise valued at approximately \$15,389.72 from Kmart in Hummelstown, Pennsylvania.

l. On or about May 7, 2018, the defendants, SHAWN ASHLEY PENA and MICHAEL KISER, stole merchandise from the Black Rose Antiques in Phillipsburg, New Jersey.

All in violation of Title 18, United States Code, Section 371.

A True Bill,


FOREPERSON


SCOTT W. BRADY
United States Attorney
PA ID No. 88352